

HEADQUARTERS  
UNITED STATES EUROPEAN COMMAND  
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PLANS AND POLICY

Implementation of the Treaty on Open Skies for the United States  
European Command

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1. Summary.

A. Purpose. This directive prescribes the policies, procedures, and responsibilities for the United States European Command (USEUCOM) implementation of the provisions of the Treaty on Open Skies (OS Treaty). This plan addresses those aspects of Open Skies Treaty implementation for the USEUCOM area of responsibility (AOR). This directive explains the scope of the Open Skies Treaty; tasks and provides guidance and planning factors to HQ USEUCOM, USEUCOM Component Commands, associated support organizations, other combatant commands, and DOD Agencies; lists agency responsibilities; gives Open Skies Treaty-unique definitions; explains notification and reporting requirements.

B. Background. Open Skies Treaty negotiations began in 1989 on an idea that dates back to the Eisenhower administration. The main objectives of this treaty are four-fold: (1) to promote greater openness and transparency of military activities, (2) to improve monitoring of current and future arms control provisions, (3) to strengthen the capacity for crisis prevention and management, and (4) to provide for aerial observation based on equity and effectiveness. The treaty was signed 24 March 1992, in Helsinki, by the sixteen nations of NATO, the states of the former Warsaw Treaty Organization (WTO), the Russian Federation, Ukraine, and the Republics of Georgia and Belarus. Accession is open to all states. The United States ratified the Open Skies Treaty on 2 Nov 1993. The treaty area of application (AOA) covers the entire territory of all signatory states.

C. Open Skies Treaty Impact on U.S. Forces/facilities. The Open Skies treaty subjects the entire territory of signatory states to aerial observation by up to four different types of commercially available sensors, as specified in Article IV of the Open Skies Treaty. As a result, all U.S. forces/facilities located in signatory states are susceptible to aerial observation in accordance with the Open Skies Treaty. The primary concerns for U.S. forces/facilities include limiting the impacts of an Open Skies observation on operations security (OPSEC) while demonstrating openness and transparency of military activities, and ensuring flight safety. The key aspect to minimizing OPSEC concerns is through timely, accurate notification.

Through bilateral international agreements, HQ USEUCOM will receive and disseminate adequate warning of upcoming Open Skies observation flights to the appropriate component commands.

2. **Applicability.** This directive applies to all USEUCOM staff agencies, component commands, and individual reporting agencies.

3. **Internal Control Systems.** This directive is not subject to the requirements of AR 11-2.

4. **Suggested Improvements.** Direct any suggestions for improving this directive to HQ USEUCOM/ECJ5-F, Arms Control Implementation Branch, Unit 30400 Box 1000, APO AE 09128. Users may also call DSN 430-5438/7445 with questions or suggestions.

5. **References.** See Appendix A.

6. **Explanation of Terms.** See Appendix B.

7. **Responsibilities.**

A. JCS will (included for information only):

( 1) represent the U.S. military in the U.S. Government (USG) inter-agency decision making process for all Open Skies Treaty matters;

( 2) coordinate with the Services and establish U.S. military policy for implementation of provisions of the Open Skies Treaty;

( 3) provide policy guidance to USEUCOM and other affected commands, as required;

( 4) serve as point of contact for issue resolution with the Office of the Secretary of Defense (OSD) and the State Department (DOS);

( 5) coordinate with OSD, DOS, and the On-Site Inspection Agency (OSIA) to ensure applicable Open Skies notifications are relayed to HQ USEUCOM by the most expeditious means available;

( 6) coordinate with and assist DOS to ensure compliance with the Open Skies Treaty in the area of bilateral agreements (see Appendix C for sample bilateral agreements) and implementation assessment;

( 7) take overall responsibility for ensuring the activities of military organizations supporting implementation are in compliance with the Open Skies Treaty.

B. USCINCEUR will:

( 1) establish and coordinate policy and procedures for implementation of the Open Skies Treaty provisions tasked to USEUCOM;

( 2) obtain and compile data required on all Open Skies Treaty matters in theater. Specific areas requiring action are: dissemination of Open Skies overflight data to USEUCOM service components, highlighting any U.S. units/facilities that would be subject to observation by an Open Skies aircraft, ensuring service components implement proper security procedures as needed;

( 3) when required, provide the Joint Staff comprehensive information regarding Open Skies overflights in the USEUCOM AOR;

( 4) coordinate with other NATO nations to ensure parallel compliance with Open Skies Treaty provisions pertaining to U.S. forces based or training in those states, in accordance with applicable bilateral agreements;

( 5) conduct necessary liaison with host nations regarding Open Skies Treaty notifications and Open Skies aircraft flight plan coordination as negotiated in applicable bilateral agreements;

( 6) receive Open Skies notifications and disseminate notifications to component commands.

C. USEUCOM Component Commands will:

( 1) provide HQ USEUCOM, ECJ3/ECJ5, and other USEUCOM component commands draft input for the Open Skies Treaty implementation plan;

( 2) upon receipt of initial intent to conduct an observation flight, advise appropriate commanders and hazardous airspace controlling agencies of the impending observation flight by the most expeditious means available;

( 3) upon receipt of the Open Skies flight plan data, evaluate the Open Skies flight plan to determine the operational impact of overflight of any subordinate units, facilities, or exercises by the Open Skies observation aircraft;

( 4) immediately notify HQ USEUCOM Command Center Watch, who will in turn notify ECJ5-F, of any specific OPSEC concerns with regards to the proposed flight path;

( 5) act on behalf of USEUCOM, in coordinating Open Skies observation flights through U.S. operated hazardous airspace or parachute areas with host nation air traffic control centers. In this capacity, comply with any applicable memorandums of understanding (MOUs) or bilateral agreements with the host nation concerning Open Skies flights through U.S. controlled hazardous airspace. Direct coordination with the host state air traffic control agencies is authorized, while keeping HQ USEUCOM, ECJ5-F, informed of significant actions;

( 6) ensure hazardous airspace controlling agencies comply with the Memorandum of Understanding for the Conduct of Open Skies Flights in the Federal Republic of Germany, reference A-2;

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( 7) acknowledge receipt of Open Skies overflight notification by the most expeditious means available and expedite acceptance of the Open Skies observation aircraft into hazardous airspace if required. "Acceptance" denotes controlling agency guarantees the Open Skies aircraft will have safe passage through the hazardous airspace (i.e. the controlling agency will terminate all conflicting operations);

( 8) provide HQ USEUCOM with Open Skies points of contact at the component command and at U.S. controlled hazardous airspace agencies. In addition, ensure decision making points of contact for U.S. controlled hazardous airspace are available during non-duty hours to coordinate Open Skies matters if needed;

( 9) immediately notify HQ USEUCOM Command Center Watch, who will in turn notify ECJ5-F, by the most expeditious means available, of any difficulties encountered in coordinating over flight of U.S. controlled hazardous airspace;

( 10) implement appropriate OPSEC procedures, as required, to minimize exposure to sensors on board the Open Skies observation aircraft;

( 11) ensure assigned commanders and subordinate activities are aware of the impacts of overflight by an Open Skies observation aircraft;

( 12) develop written compliance plans to meet the requirements of this directive and forward copies of their compliance plans to HQ USEUCOM-ECJ5-F;

( 13) provide written notice to HQ USEUCOM whenever changes to component Open Skies implementation plans are instituted.

D. CINCUSAFE, in addition to responsibilities in paragraph 7c above, will:

( 1) task the Ramstein Base Operations personnel to immediately forward any Open Skies flight plans directly to the USEUCOM Command Center via electronic fax. Bilateral agreements (see Appendix C) with host nations stipulate that Ramstein Base Operations will be an information addressee in the remarks section of the International Civil Aviation Organization (ICAO) flight plan for Open Skies flights;

( 2) coordinate with HQ USEUCOM/ECJ4, the On-Site Inspection Agency, European Division (OSIA-E), and HQ Air Combat Command (ACC), as needed, for logistic support of the U.S. Open Skies aircraft when it is in theater to conduct Open Skies test and operational flights. Provide logistic and administrative support to U.S. operated Open Skies aircraft and crews as required.

E. ECJ2 will:

( 1) provide normal staff coordination on all Open Skies Treaty matters as requested by the Director, ECJ5;

( 2) provide normal/routine theater monitoring of former Soviet and other CSCE state activities, while acting as the conduit for intelligence in-

formation from national/theater sources in support of Open Skies Treaty matters;

F. ECJ3 will:

( 1) provide staff coordination on Open Skies Treaty matters as requested by the Director, ECJ5;

( 2) develop and maintain Senior Emergency Action Controller (SEAC) checklists to ensure prompt notification of appropriate HQ USEUCOM personnel/-organizations and component command headquarters upon receipt of notification of an Open Skies intent to conduct an observation mission, flight plan data, or other Open Skies Treaty related actions;

( 3) upon receipt of an Open Skies notification of intent to conduct an observation mission from the host nation or OSIA, immediately relay the notification to component commands by voice/hard copy;

( 4) upon receipt of Open Skies flight plan data or changes to flight plan data from a host nation or Ramstein Base Operations; immediately notify the components and other designated parties of the estimated take off time, country, flight duration, and other general descriptions relative to the flight plan data via voice/hard copy;

( 5) respond to inquiries by the immediate subordinate agencies with actual coordinates of the flight path or, when requested, fax flight plan information to agencies who require more amplification.

G. ECJ4 will:

( 1) provide staff coordination on Open Skies Treaty matters as requested by the Director, ECJ5;

( 2) coordinate, as needed, any logistics matters pertaining to support of the U.S. Open Skies aircraft while the aircraft is in theater to conduct Open Skies test or operational missions.

H. ECJ5 will:

( 1) act as HQ USEUCOM Office of Primary Responsibility (OPR) for Open Skies Treaty policy matters;

( 2) provide theater guidance for implementation of the Open Skies Treaty;

( 3) in coordination with ECJ3, coordinate with Allies, as appropriate, and forward USEUCOM inputs on Open Skies matters to the Joint Staff.

I. ECPA will:

( 1) closely coordinate Open Skies observation mission information provided through public affairs channels with ECJ3 and ECJ5 to ensure information released through all three channels is consistent. Receiving observing teams is the responsibility of the host state. The host state will, therefore, retain public affairs responsibility, including escorting and responding to the media. U.S. public affairs assistance may be offered for observations if requested. USDAOs in Allied countries should make this offer known to host states and advise HQ USEUCOM-ECPA/ECJ5-F and OSIA-E. Further, USDAOs should coordinate the use of the following proposed announcement by U.S. sources in response to observation queries: "Observations are an integral part of the Open Skies Treaty agreed to in Vienna. The request of (nation) to conduct an Open Skies observation flight over (location) does not in any way indicate a crisis or heightening of tensions. Each Open Skies signatory state has agreed to give full cooperation to such requests, and we have been assured by (host nation) that observers from (nation) will be accorded full rights and privileges in accordance with the Open Skies Treaty."

J. ECLA will:

( 1) provide legal guidance, as required, regarding the interpretation and implementation of the Open Skies Treaty.

( 2) coordinate with Chairman's Legal Counsel, and other legal officials as appropriate.

K. U.S. Defense Attache Offices can be expected to:

( 1) support Open Skies Treaty observations as requested.

( 2) coordinate public affairs support in the host country as detailed in subparagraph 7i above.

8. **Policies and Procedures.** All actions to implement provisions of the Open Skies Treaty should reflect openness and transparency in the spirit of the agreement. However, it is important to remember the need to take appropriate measures to protect classified or sensitive information. In the USEUCOM theater, U.S. forces/facilities may be imaged during Open Skies observation flights of a host nation and must rely on the host nation to provide adequate warning of Open Skies observations and monitor observing states parties for treaty compliance.

A. Conduct of observation flights.

( 1) Open Skies Aircraft/Sensors. Observation flights will be conducted on unarmed fixed-wing aircraft provided either by the observing state party or the observed state. All aircraft used in Open Skies will be subject to rigorous certification and inspection procedures to ensure that sensors on board the aircraft meet Treaty standards, and that only permitted sensors are installed. The Open Skies aircraft may have the following types of sensors on board: optical panoramic and framing cameras and video cameras for daylight photography; infra-red line-scanning systems, which can operate by day and night; and sideways looking synthetic aperture radar, which can operate day and night in any weather. The quality of pictures produced by the cameras on an observation aircraft is designed to make it possible to

recognize major items of military equipment--for example, to distinguish between a fighter and a bomber aircraft or between a tank and a truck. To ensure the fullest participation by all States Parties, the Treaty stipulates that sensors which are used must be commercially available to all States Parties. Data collected by the Open Skies aircraft is given to both the observing and observed parties as well as any other state party that requests and pays for the data.

( 2) Intent to Conduct an Observation Mission. The observing state party must notify the observed state party and all other states parties of its intent to conduct an observation flight no less than 72 hours prior to arrival at the point of entry. The Nuclear Risk Reduction Center (NRCC) will receive this notification and then forward the notification to the On-Site Inspection Agency (OSIA). OSIA will pass an Open Skies Voice Format 1A notification to HQ USEUCOM via telephone through the National Military Command Center (NMCC). In addition, in accordance with bilateral negotiations, HQ USEUCOM should also receive timely notification of an observing states party's intent to conduct an observation mission via telephone or electronic fax directly from the host nation. Upon receipt of either of these notifications, HQ USEUCOM Command Center Watch will transmit an Open Skies Voice Format 1A to component command centers and other applicable agencies. (Note: If the HQ USEUCOM Command Center Watch receives its initial notification directly from the host nation (vice OSIA), they will contact the OSIA Command Center (Commercial: 703-742-4480 or x4407) to obtain a "Mission I.D. Number" prior to disseminating this notification.)

( 3) Observation Time Limits. The observing state party must conduct the observation flight within 96 hours of its estimated time of arrival at the point of entry. (Note: If a sensor demonstration flight is conducted, the time limit is extended by 24 hours.) In addition, the observing state party must depart from the point of exit no later than 24 hours after the completion of the observation flight.

( 4) Priority for Open Skies Aircraft. The Open Skies Treaty allows the observation aircraft to overfly/observe any point on the entire territory of the observed state. Therefore, it is imperative that HQ USEUCOM agencies that control hazardous airspace give the Open Skies observation aircraft the highest priority.

( 5) Receipt of Open Skies Mission Plan. Based on bilateral agreements with host nations, an Open Skies observation flight should start no less than 24 hours after submission of an Open Skies flight plan. If the host nation elects to waive this 24 hour limit, they will notify HQ USEUCOM via telephone or electronic fax. However, after the flight plan is submitted, the observing and observed states parties may negotiate the flight plan leaving as little as 12 hours from flight plan approval to actual mission takeoff. Upon receipt of the Open Skies flight plan data from the host nation or Ramstein Base Operations, the USEUCOM Command Center Watch will use voice and hard copy messages to notify component commands, combatant commands, DOD agencies, and associated support organizations that the flight plan has been received, the takeoff time, takeoff location, duration of flight, landing point, and the country (or general area within a country when possible) where the flight will take place. Any amplifying information received from the host country or on

the flight plan will also be passed. Any directly notified agency (components, etc.) that requires more explicit information will contact the HQ USEUCOM Command Center Watch via telephone and the actual flight plan information (coordinates, etc.) will be passed by voice or electronic fax when appropriate. In the event of a change to an accepted flight plan, HQ USEUCOM Command Center Watch will use the above procedures to relay changes to all agencies previously notified.

( 6) Observation Aircraft Flight Path Deviations. An Open Skies observation aircraft may have to deviate from the approved flight plan for weather or other circumstances. If the aircraft deviates more than 50 kilometers from the approved flight path, the observed states party shall have the right to prohibit the use of all sensors. Since the observing state party may continue to operate sensors when it is within 50 kilometers of the planned flight path, HQ USEUCOM units/facilities within 100 kilometers of the approved flight path would be susceptible to observation (based on a 50 kilometer limit on sensor detection range).

B. Vulnerability of Overflight. Each state party in Open Skies has agreed to a quota of observation flights which it is willing to accept annually from other states parties. Quotas are loosely scaled to the size of the states parties. In the USEUCOM theater, U.S. forces and facilities would be vulnerable to a maximum of 89 overflights annually as shown in Figure 1. However, the quota of both active and passive overflights accepted by each state party is renegotiated each year and therefore subject to change from these figures.



## PASSIVE OBSERVATION QUOTAS IN EUROPE

Error! Bookmark not defined. State Party	Number of Observations	State Party	Number of Observations
Germany	12	Denmark	6
France	12	Benelux	6
UK/No. Ireland	12	Spain	4
Italy	12	Greece	4
Turkey	12	Portugal	2
Norway	7		

Figure 1.

C. Notification Procedures. There are two types of Open Skies notifications that are of direct interest to USEUCOM: a notification of intent to conduct an observation flight received from OSIA, and notification of an approved Open Skies flight plan from the host nation or forwarded by Ramstein Base Operations. The following points summarize the USCINCEUR policies and procedures regarding Open Skies notifications and preparation for an observation by an Open Skies observation aircraft:

( 1) General Communications Flow. The USEUCOM Command Center Watch is the theater single point of contact for all Open Skies notifications. After the USG receives notification that an observing state will conduct an observation mission, the NRRC will verbally notify HQ OSIA. HQ OSIA will transmit Open Skies Voice Formats via the Joint Chiefs of Staff Alerting Network (JCSAN) voice circuits through the National Military Command Center (NMCC) as currently done for Conventional Armed Forces in Europe (CFE) Treaty traffic. The USEUCOM Command Center

Watch will retransmit Open Skies notifications to component commands, DOD agencies, combatant commands, and associated support organizations via voice circuits currently used for CFE notifications. Appendix D contains sample voice formats.

( 2) Notifications of Intent to Conduct an Observation. HQ USEUCOM will receive an Open Skies Voice Format 1A: Notification of Intent to Conduct an Observation Flight, from HQ OSIA as described in paragraph 8 c (1). In addition, HQ USEUCOM should also receive notification directly from the host nation via telephone/electronic fax. USEUCOM Command Center Watch will then transmit this notification to DOD agencies, component commands, combatant commands, and associated support organizations via voice circuits. (Note: If the HQ USEUCOM Command Center Watch receives its initial notification directly from the host nation (vice OSIA), they will contact the OSIA Command Center (Commercial: 703-742-4480 or x4407) to obtain a "Mission I.D. Number" prior to disseminating this notification.) In turn, DOD agencies, component commands, combatant commands, and associated support organizations will notify potentially affected sites in accordance with local procedures. Upon notification, potentially affected sites will review appropriate OPSEC procedures.

( 3) Notification of Open Skies Mission Plan. In accordance with applicable bilateral agreements, HQ USEUCOM Command Center Watch will receive notification of the Open Skies mission plan directly from the host nation via telephone or electronic fax. In addition, host nations will include Ramstein Base Operations as an information addressee in the remarks section of the ICAO flight plan. Ramstein Base Operations (Phone: DSN: 480-2446/2073 or Commercial: 49-6371-47-2446/2073; Fax: x5084) personnel will forward the ICAO flight plan data to the USEUCOM Command Center Watch via telephone/electronic fax (Phone: DSN: 433-1110/Commercial: 49-711-67820; Fax: DSN: 430-4028/Commercial: 49-711-680-4028). Prior to sending a flight plan to the HQ USEUCOM Command Center Watch via electronic fax, telephone the command center to advise watch personnel of the incoming electronic fax. Upon receipt of the flight plan data, HQ USEUCOM Command Center Watch will:

( A) use voice (Open Skies Voice Format 6)/hard copy message to notify subordinate component commands, combatant commands, DOD agencies, and associated support organizations that the proposed flight plan has been received, the estimated take off time, point of departure, duration of flight, landing point, and the country (or general area within a country when possible) where the flight will take place. Any amplifying information received from the host country or on the flight plan will also be passed;

( B) respond to inquiries by any directly notified agency (components, etc.). Any directly notified agency that requires more explicit flight plan information will call the USEUCOM Command Center Watch via voice circuits and the actual flight plan information will be passed by voice or via electronic fax when appropriate.

( 4) Procedures for Component Commands. Upon receipt of Open Skies flight plan information (Open Skies Voice Format 6) from the USEUCOM Command Center, affected component command centers will determine which, if any, units/facilities need to be notified and immediately relay a warning to affected field commanders by the most expeditious means available. Field commanders will implement appropriate OPSEC procedures, if required.

( 5) Termination Procedures. The HQ USEUCOM Command Center Watch will broadcast a Voice Format #7 - Termination of Observation Flight if they receive confirmation of flight termination from the host nation. However, the

host nation is not obligated to, and in most cases will not, notify HQ USEUCOM of the completion of an observation mission. Command centers should not expect a specific notification for observation flight termination. Based on the proposed or revised take off time and flight duration, command centers can automatically close out their checklists at the expiration of the expected flight duration.

D. Procedures for Coordinating Flights Through U.S. Controlled Hazardous Airspace. Currently, the only U.S. controlled hazardous airspace is in the Federal Republic of Germany (FRG) (see Appendix E for listing of hazardous airspace). Coordination for Open Skies observation missions in U.S. controlled hazardous airspace in Germany will be in accordance with reference A-2 and procedures detailed in Appendix F. It is imperative that U.S. hazardous airspace controlling agencies coordinate closely with the German air traffic control agency, Amt für Flugsicherung der Bundeswehr (AFSBw) and its executive branch, the Coordination Centre for Military Airspace Utilization (COMIL). To ensure timely acceptance of Open Skies observation flights into U.S. controlled hazardous airspace, controlling agencies are authorized direct contact with FRG air traffic control agencies concerning Open Skies Treaty related issues. In this regard, the following procedures apply:

( 1) USEUCOM expects to receive four types of notifications from the COMIL. Appendix F gives detailed examples and actions required to process each notification. The four notifications are:

( A) COMIL Notification of Intent to Conduct an Open Skies Observation Flight. This message provides addressees notification of a pending Open Skies observation flight. COMIL should send this notification at least 72 hours prior to the arrival of an observation aircraft in Germany (see Appendix F for processing this notification).

( B) COMIL Notification of Intent to Conduct an Open Skies Demonstration Flight. Demonstration flights associated with Open Skies observations serve the purpose of demonstrating/validating sensors on the observation aircraft. In Germany, demonstration flights will take place primarily in restricted area ED-R 204 (see Appendix F).

( C) COMIL Transmission of Relevant Data for an Accepted Open Skies Observation Flight. COMIL uses this message to transmit data for an accepted flight plan. The data includes pertinent mission times, route of flight and planned altitudes for the mission (see Appendix F).

( D) COMIL Transmission of Relevant Mission Data of an Open Skies Observation Flight. This notification coordinates the closure of restricted airspace, is extremely

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time sensitive, and addressees must act immediately to comply with the notification. COMIL will specify which restricted area(s) is/are affected and the desired date/time block for suspending activity in each area (see Appendix F).

( 2) It is important to note that these procedures are intended only to coordinate Open Skies flights through restricted airspace in Germany and to ensure flight safety. German MOU fax notification formats will not necessarily match The OSIA formats are universal and will apply to Open Skies flights over Germany and elsewhere.

( 3) When U.S. controlled airspace is affected the appropriate controlling agencies will:

( A) ensure safe passage for the Open Skies aircraft by immediately suspending any conflicting activity for the time interval specified by COMIL. In this regard, controlling agencies are authorized to coordinate directly with COMIL, as required, to ensure prompt acceptance of Open Skies flights into U.S. controlled hazardous airspace. the voice formats developed by the OSIA for Open Skies notifications.

( B) acknowledge suspension of activity within the hazardous airspace as soon as possible in accordance with procedures in Appendix F.

FOR THE COMMANDER IN CHIEF:

OFFICIAL: RICHARD F. KELLER

GERRY L. EVANS  
MAJ, USA  
Acting Adjutant General

Appendixes:

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